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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/471,072	12/21/1999	EDUARDO PELEGRI-LLOPART	SUN1P254/P41	6969

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EXAMINER

KISS, ERIC B

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	09/471,072		PELEGRI-LLOPART ET AL.	
	Examiner		Art Unit	
	Eric B. Kiss		2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8, 10 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8, 10 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 30 January 2003 is: a) ☐ approved b) ☒ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment of January 30, 2003, has been received and entered. Claims 1-4, 6-8, 10, and 13-16 are pending.

Response to Amendment

2. Applicant's proposed drawing corrections do not appropriately address the drawing objections as detailed in the previous office action. Notwithstanding Applicant's deletion of the second vertical bar, the Figure still shows a second interface. It is still unclear what the nature and scope of the second illustrated interface are. As indicated previously, at least two possible interpretations exist based on the disclosure in the specification. The portion of the previous objection maintained is reproduced below.

3. Applicant's amendment to claims 4, 6, 8, and 10 does not appropriately address the rejection under 35 U.S.C. § 112, second paragraph, based on the use of trademarks as claimed limitations, as detailed in the previous office action. Accordingly, this rejection is maintained (reproduced below), and Applicant is required to remove all instances of trademarks from the claims.

All other rejections under 35 U.S.C. § 112, second paragraph, are withdrawn in view of Applicant's amendment, except as otherwise reproduced below.

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4. The rejections under 35 U.S.C. § 101 based on non-statutory subject matter as detailed in the previous office action are withdrawn in view of Applicant's amendment.

Response to Arguments

5. Applicant's arguments, on page 5, paragraph 4, filed January 30, 2003, with respect to claim 1 have been fully considered and are persuasive. The rejection under 35 U.S.C. 102(b) of claims 1-3 has been withdrawn.

6. Applicant's arguments, on page 6, paragraphs 2 and 3, filed January 30, 2003, with respect to claims 1 and 7 have been fully considered but are not persuasive. The rejection under 35 U.S.C. 102(a) of claims 1 and 7 is maintained.

7. On page 6, in paragraph 2, Applicant argues:

It is noted that the *CFSET* describes how [C]oldFusion can be used to develop *CFSET* Web applications. As such, *CFSET* discussed creating and using variables in a [C]oldFusion page (*CFSET*, page 16 and 17). However, it should be clear that creation and using of variables in a page does not teach a pageContext object for the page that includes a mapping of scripting variables to values.

However, the Examiner maintains that a *CFSET* object includes a mapping of scripting variables to values (see, for instance, the first example given on page 15 of the *CF Web* reference, which shows a mapping of the variable "FirstName" to the value "Jack"). As such, the *CFSET* object can be interpreted as a pageContext object in the context of the recited features in the claims.

8. On page 6, in paragraph 3, Applicant argues:

However, [data returned by the *GetBaseTagList()* and *GetBaseTagData()* functions] is used for ancestor data access (i.e., information relating to [the] ancestor of a tag) and does not pertain to synchronization of scripting variables and a tag library. Accordingly, it is earnestly believed that this teaching does not teach a *TagExtraInfo* object in the context of the invention. Moreover, clearly, the recited sections of *CF Advanced* do not teach a method that returns a list of available scripting variables and a variable type associated with each variable.

Further, the Examiner maintains that the *GetBaseTagData()* method described in *CF Advanced* returns a list of available scripting variables and a variable type associated with each variable. As acknowledged by Applicant, the *GetBaseTagData()* method returns an object that contains all the variables, scopes, etc. of the nth ancestor with a given name. As the object returned contains available scripting variables and scope is a form of variable type, the *GetBaseTagData()* method meets the recited criteria of the *TagExtraInfo* object method.

In response to Applicant's argument that the applied references do not pertain to synchronization of scripting variables [between a page] and a tag library, the Examiner directs Applicant's attention to remarks made on page 4 of Amendment A in response to the Examiner's rejection under 35 U.S.C. § 112, second paragraph, based on indefiniteness of the independent claims. Applicant argues on page 4, paragraph 3, lines 6-12, that synchronization of scripting variables between a page including action tags and a tag library is achieved by merely providing a *pageContext* object and a *TagExtraInfo* object as claimed in claim 1, thereby asserting that the Examiner's rejection was improper. If this argument is presumed valid, then the Examiner-cited references do in fact pertain to synchronization of scripting variables between a page and a tag

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library, as the Examiner has maintained, as detailed above, that the references applied do teach the remaining limitations of claim 1.

Drawings

9. The drawings are objected to because Figure 2 does not clearly illustrate the details of the second interface (indicated by the second set of request/response labels). It is unclear whether this is intended to show a request object to container interface as described in page 1, paragraph 4, lines 5 through page 2, line 2 or a container to JSP Page interface as described in page 2, lines 3-5. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

10. The use of trademarks JAVA and JAVASERVER have been noted in this application. They should be capitalized wherever they appears and be accompanied by the generic terminologies.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner that might adversely affect their validity as trademarks.

In the present case, the trademark JAVA is not accompanied by generic terminology. See MPEP § 608.01(v).

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 2-4, 6, 8, 10, and 13-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 3, 4, and 6 recite the limitation "The mechanism" in the preamble of each claim. There is insufficient antecedent basis for this limitation in the claim. Since claim 1 has been amended to recite "A computer system" instead of "A mechanism", claims 2, 3, 4, and 6 are subsequently interpreted as reciting "The computer system" accordingly. Appropriate correction is required.

Claims 4, 6, 8, 10, 14, and 16 contain the trademark/trade names JAVA and/or JAVASERVER. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of

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goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade names are used to identify/describe specific programming language components and, accordingly, the identification/description is indefinite.

Claims 13-16 recite the limitation "the method" in line 3 of claim 13. There is insufficient antecedent basis for this limitation in the claim. In addition, the limitations that follow the preamble of claim 13 are not active method steps.

Claim 15 recites a negative limitation that relates to the operation of unclaimed features.

Claim Rejections - 35 USC § 102

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. Claims 1-3, 7, and 13 are rejected under 35 U.S.C. 102(a) as being anticipated by the ColdFusion 4.0 software product, available at least as early as October 2, 1998, as evidenced by the ColdFusion Documentation files, including: "Getting Started with ColdFusion" (hereinafter CF Getting Started); "Developing Web Applications with ColdFusion" (hereinafter CF Web); "Advanced ColdFusion Development" (hereinafter CF Advanced); "ColdFusion 4.0 Documentation Update" (hereinafter CF Update); and "ColdFusion Quick Reference Guide" (hereinafter CF Guide), and such a product hereinafter ColdFusion 4.0.

As per claim 1, ColdFusion 4.0 is disclosed with a system comprising a pageContext object containing a mapping of scripting variables to values (CFSET tag; see CF Web, pp. 16-17 section titled "Using CFSET to create variables") and a TagExtraInfo object containing a method that returns a list of available scripting variables and a variable type associated with each variable (see CF Advanced, p. 27 subsection titled "Ancestor data access" and, in particular, the description of the GetBaseTagData function).

As per claim 2, ColdFusion 4.0 is further disclosed with a translator (ColdFusion) that consults the TagExtraInfo object (evaluates the GetBaseTagData function) to obtain the list of available scripting variables (ancestor variables) when the page is translated (see CF Advanced, pp. 27-28 subsection titled "Example: Ancestor data access" and, in particular, see the fifth line of the code example).

As per claim 3, ColdFusion 4.0 is further disclosed with creating the pageContext object when the page is executed (see CF Web, p. 17 sections titled "Example: Dynamic parameters" and "Example: Expressions").

As per claim 7, this is a method version of the claimed system, discussed above (claims 1-3), wherein all claim limitations also have been addressed as set forth above.

As per claim 13, this is a computer-readable medium version of the claimed system discussed above (claim 3). ColdFusion 4.0 is further disclosed with a computer readable medium including computer program code (ColdFusion CD-ROM; see CF Getting Started, p. 4 section titled "To install ColdFusion for Windows"). All other limitations also have been addressed as set forth above.

Claim Rejections - 35 USC § 103

15. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

16. Claims 4, 6, 8, 10, and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the ColdFusion 4.0 software product as applied to claims 3, 7, and 13 above.

As per claims 4 and 14, ColdFusion 4.0 is disclosed with such a TagExtraInfo object that comprises (as a function return value) an object name for each variable (variable name), a type for each variable (based on variable naming conventions; see, e.g., CF Advanced p. 28, lines 8-9 which determines the custom tag context by looking for a variable beginning with “CF_”), and a scope parameter for each variable (see CF Advanced, pp. 27-28 subsections titled “Ancestor data access” and “Example: Ancestor data access”), but is not disclosed with such a Java implementation. However, ColdFusion 4.0 suggests using the Java language to build extensions as an alternative to CFML (see CF Advanced, p. 13 introductory paragraph). Therefore, it would have been obvious to one having ordinary skill in the computer art at the time the invention was made to modify the ColdFusion 4.0 implementation to include a Java version of the TagExtraInfo object. One would be motivated to do so to allow for easier customization and upgrading ability that a user-defined extension would provide.

As per claim 15, the tag library of ColdFusion 4.0 further does not know which scripting language is used to create the page (for example, CF Advanced, pp. 9-10 provide an example of

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a JavaScript object in addition to the normal HTML-only page without making any changes to the tag library). Therefore, such a claim also would have been obvious.

As per claims 6 and 16, ColdFusion is disclosed with a text-based document (CFML document) that describes how to process a request (evaluate functions and tag objects) to create a response (generate an HTML document) just as the JavaServer Page is described in the instant application (see p. 1, lines 18-20). Therefore, it would have been obvious to one having ordinary skill in the computer art at the time the invention was made to substitute the known (see, for example, "Tools for Developing Servlets and Server Pages Using Java Technology," 1999, JavaOne '99 Session Information) JavaServer Page technology for the ColdFusion 4.0 technology. One would be motivated to do so because both are directed toward the same function.

As per claims 8 and 10, these are method versions of the claimed mechanism discussed above (claims 4 and 6, respectively), wherein all claim limitations also have been addressed as set forth above. Therefore, such claims also would have been obvious.

Conclusion

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Kiss whose telephone number is (703) 305-7737. The examiner can normally be reached on Tue. - Fri., 7:30 am - 5:00 pm. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (703) 308-4789.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

Or:

(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

EBK
February 28, 2003


ANIL KHATRI
PRIMARY EXAMINER